



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP  
300 S. WACKER DRIVE  
32ND FLOOR  
CHICAGO IL 60606

**COPY MAILED**

**NOV 09 2007**

**OFFICE OF PETITIONS**

In re Application of :  
Haskell et al. :  
Application No.: 10/529589 : **ON PETITION**  
Filing or 371(c) Date: 03/29/2005 :  
Attorney Docket Number: 05-217 :

This is a decision on the petition under 37 C.F.R. § 1.137(a), filed October 24, 2007.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely reply to the non-final Office action, mailed February 9, 2007. The Office action set a three (3) period for reply. Extensions of time under 37 CFR 1.136(a) were available. No reply having been received, the application became abandoned on May 8, 2007. A Notice of Abandonment was mailed September 20, 2007.

Applicant files the present petition wherein Applicant avers that he did not receive the Office action.

Applicant has demonstrated by a preponderance of the evidence that the Office action was not received. Accordingly, the petition is granted.

The application will be referred to Technology Center Art Unit 2617 for re-mailing of the Office action and re-setting the period for reply.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

  
Derek L. Woods

Attorney  
Office of Petitions